

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DANIEL GONZALEZ, et al.,

Plaintiffs,

v.

DIAMOND RESORTS INTERNATIONAL  
MARKETING, INC., et al.,

Defendants.

Case No. 2:18-cv-00979-APG-NJK

**Order Granting Plaintiffs' Unopposed  
Motion for Preliminary Approval of  
Class Action Settlement**

[ECF No. 283]

The plaintiffs move for preliminary approval of their class action settlement under Federal Rule of Civil Procedure 23(e). The motion is unopposed, and I grant it.

I THEREFORE ORDER as follows:

1. The plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement (**ECF No. 283**) is **GRANTED**.

2. The parties' Settlement Agreement and Release (ECF No. 283-1) is preliminarily approved as fair, reasonable, and adequate, subject to further consideration when the plaintiffs move for final approval after notice to the Hawaii Class and any objections are considered.

3. I approve the Notice (ECF No. 283-2) and the manner of distribution outlined in paragraphs 38 and 39 of the parties' Settlement Agreement and Release.

4. Hawaii Class Members may request exclusion from the settlement by complying with the procedures outlined paragraph 40 of the Settlement Agreement and Release, which includes mailing an Opt-Out Statement that must be postmarked no later than 45 calendar days after the Settlement Administrator mails the Notice.

5. Hawaii Class Members who do not request exclusion from the settlement by opting out in accordance with the Settlement Agreement and Release may object to the settlement by complying with the procedures outlined in paragraph 41 of the Settlement Agreement and Release no later than 45 calendar days after the Settlement Administrator mails the Notice.

8           8.       KCC will mail the Notice to all Hawaii Class Members within 21 days of the entry  
9 of this Order, as required under paragraph 39 of the Settlement Agreement and Release.

13           10.     The plaintiffs' request for costs not to exceed \$450,763.00 is preliminarily  
14 approved as fair and reasonable, subject to further consideration when the plaintiffs move for final  
15 approval.

19           12.     The proposed distribution of the net settlement amount as outlined in the motion  
20 (ECF No. 283 at 8-10) is preliminarily approved as fair, reasonable, and adequate, subject to  
21 further consideration when the plaintiffs move for final approval.

25 DATED this 17th day of August, 2022.

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